

### REMARKS/ARGUMENTS

Reconsideration of this application, as amended and in view of the following remarks, is respectfully requested. Claims 1-7 originally appeared in the application. Applicants have cancelled claims 3, 4, and 7. The claims presented for examination are: claims 1-2 and 5-6.

#### **35 U.S.C. § 112 Rejection**

In numbered paragraph 2 of the Office Action mailed January 29, 2007 claims 1-2 and 4-6 were rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Office Action stated: the preamble recites "consisting of," but in other portions of the claims, open language is used (e.g., "comprising" and "includes" in claims 5-6, and possibly "has" in claims 1 and 4).

Applicants have amended the claims so that the claims no longer include the open language "comprising" or "includes" or "has" identified in the Office Action mailed January 29, 2007. Claim 4 has been cancelled. Applicants believe that the amendment overcomes the rejection of claims 1-2 and 4-6 under 35 U.S.C. 112, second paragraph, and that a complete response to the rejection has been provided.

#### **35 U.S.C. § 102 Rejection –Yamamoto Reference**

In numbered paragraphs 4 of the Office Action mailed January 29, 2007, claim 4 was rejected under 35 U.S.C. § 102(e) as being anticipated by the Yamamoto reference (US Patent Application No. 2002/0114740). Claim 4 has been cancelled.

### **Allowable Claims**

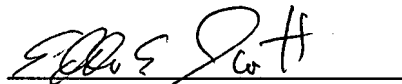
In numbered paragraph 5 of the Office Action mailed January 29, 2007 it was stated that claims 5-6 "would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. § 112, 2<sup>nd</sup> paragraph, set forth in this Office Action and to include all of the limitations of the base claim and any intervening claims." Applicants have amended claims 5-6 to overcome the rejection(s) under 35 U.S.C. § 112, 2<sup>nd</sup> paragraph, set forth in the Office Action mailed January 29, 2007 and to include all of the limitations of the base claim 4 and any intervening claims. Claim 4 has been cancelled.

In numbered paragraph 6 of the Office Action mailed January 29, 2007 it was stated that claims 1-2 "would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. § 112, 2<sup>nd</sup> paragraph, set forth in this Office Action." Applicants have amended claims 1-2 to overcome the rejection(s) under 35 U.S.C. § 112, 2<sup>nd</sup> paragraph, set forth in the Office Action mailed January 29, 2007.

SUMMARY

The undersigned respectfully submits that, in view of the foregoing amendments and the foregoing remarks, the rejections of the claims raised in the Office Action dated January 29, 2007 have been fully addressed and overcome, and the present application is believed to be in condition for allowance. It is respectfully requested that this application be reconsidered, that the claims be allowed, and that this case be passed to issue. If it is believed that a telephone conversation would expedite the prosecution of the present application, or clarify matters with regard to its allowance, the Examiner is invited to call the undersigned attorney at (925) 424-6897.

Respectfully submitted,



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Dated: April 24, 2007